

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DESSIREY ZOKIRZODA AND  
MARCOS LAZU,

Plaintiffs,

-v-

ACRI CAFÉ, INC. AND MUHAMET  
DEMAJ

Defendants.

18-CV-11630 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On January 22, 2020, this Court entered a default judgment in this case against Defendants Acri Café, Inc. and Muhamet Demaj in the amount of \$14,912.00 for Plaintiff Dessirey Zokirzoda, \$14,198.00 for Plaintiff Marcos Lazú, and \$7,710.00 in attorney's fees and costs. (ECF No. 26.)

On April 7, 2021, Plaintiffs issued a restraining notice, information subpoena, and a subpoena *duces tecum* to Defendants commanding them to produce certain documents regarding their assets and finances by May 7, 2021 and to appear for a deposition on May 21, 2021. (ECF No. 35.)

On August 10, 2021, Plaintiffs filed their first motion to compel after Defendants refused to respond. (ECF No. 35.) On January 24, 2022, this Court granted Plaintiffs' motion to compel. (ECF No. 36.)

On May 9, 2022, Plaintiffs filed a motion for contempt following Defendant's continual failure to comply with the Court's post-judgment orders. (ECF No. 38.) On February 8, 2023, this Court denied Plaintiffs' motion without prejudice to renewal because Plaintiffs failed to comply with Southern District of New York (SDNY) Local Rule 83.6. (ECF No. 40.) On April

18, 2023, Plaintiffs filed a new motion for sanctions and contempt (ECF No. 44) and served the motion on Defendants (ECF No. 46). That motion is granted for the reasons outlined in Plaintiffs' submission at ECF No. 45.

Defendants are hereby found to be in contempt of Court for failure to comply with this Court's January 24, 2022 order. Defendants are directed to submit a full and detailed response to the information subpoena, the *subpoena duces tecum*, and document demands within 21 days of this Order. Further, Defendant Demaj shall appear for a deposition within 21 days of this Order at the offices of Akin Law Group PLLC, 45 Broadway, Suite 1420, New York, New York 10006. If he fails to do so, he is subject to arrest by the U.S. Marshals Service.

Additional attorney's fees in the amount of \$20,295.00 and costs in the amount of \$79.00 are hereby awarded to Plaintiffs.

SO ORDERED.

Dated: September 19, 2023  
New York, New York

  
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J. PAUL OETKEN  
United States District Judge